GPN-J.332-ARCHB-8.94-1310500-ALA4 Spl-H.C.A.S.C.D.79e

FARAD CONTINUATION SHEET No.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE SIDE
WRIT PETITION NO. 4512 OF 2004

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders.)

Court's or Judge's orders

Mr. D.D. Belosay for Petitioner.
Mrs. S.S. Bhende, A.G.P. for Respondents.

CORAM : F.I. REBELLO &
S.P. KUKDAY,JJ.
DATED : FEBRUARY 07, 2005
P.C.

. The case of the Petitioner is that he was appointed as unpaid talathi and has been working as such from 5.6.1982. He relies on G.R. dated 22.10.1996 for the relief of being absorbed as regular employee in the Government service. He moved an application being Original Application before M.A.T. which came to be rejected by order dated 20.7.2001. The M.A.T. noted that the Government had not any time authorised the appointment of talathis and Tahsildar seems to have done the same on his own without any authority. Even if G.R. dated 22.10.1996 is concerned, it is only meant for absorption in the Government service of persons as set out therein. It is clear from the G.R. that it is restricted to the post of clerks

and not to any other posts. Considering that we do not find that the order of Maharashtra Administrative Tribunal suffers from any error apparent on the face of record. Hence, this is not a fit case warranting interference by this court.

. Even otherwise, in such matters, by Judgement passed in Writ Petition No. 942 of 2004 in Shrikant B. Kapse Vs. State of Maharashtra & Ors. decided on 4/2/2005 we have noted the judgement of the Apex Court in A. Umrani Vs. Registrar, Cooperative Societies and others, (2004) 7 S.C.C. 112 in the matter of appointments. All appointments hereinafter shall be necessarily in terms of law set out in those judgments. With the above directions, petition stands disposed of.

(F.I.REBELLO,J.)

(S.P.KUKDAY,J.)